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February 17, 2020

VIA, ELECTRONIC FILING

Jo Anne Wessinger Hill, Esquire,
Hearing Officer,
The Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, South Carolina 29210

- Re: • Ganymede Solar, LLC v. Dominion Energy South Carolina, Incorporated -
 Docket 2019-390-E
 • Directive Order No. 2020-11-H
 • **Request for Guidance**

Ms. Hill:

The undersigned is counsel of record for Ganymede Solar, LLC, (“Ganymede”). I am writing to you in response to the Directive Order you issued on Friday, February 14, 2020, in Docket 2019-390-E, referenced hereinabove.

Matters Under Consideration.

Your Order indicated that Dominion Energy South Carolina, Incorporated’s (“Utility”), Motion for Extension and the Utility’s Motion to Compel were the only “Matters Under Consideration”. Factually, Ganymede’s Motion for Protective Order is **also** before the Commission and should have been listed as a **“Matter Under Consideration”**. Also, Ganymede’s Motion for Clarification, e-filed with the Commission on **January 27, 2020**, is **also** before the Commission and also should have been listed as a **“Matter Under Consideration”**. The matters listed were only the Utility’s matters and as stated, only one of Ganymede’s Motions was referenced in your Directive Order, without comment, and neither of Ganymede’s pending Motions before the Commission were shown as, “Matters Under Consideration”.

We would note that Ganymede's Motion for Clarification e-filed last month, when decided by the Commission, will render the Utility's two Motions moot. Therefore, in the interest of judicial economy, Ganymede requests that its previously e-filed Motion for Clarification be heard and decided by the Commission prior to the Utility's two Motions that you list as, "Matters Under Consideration" in your Directive Order.

Utility's Motion for Extension.

Your Directive Order states, "There has been no objection to DESC's request for an extension of time...." However, the Utility requested on **two occasions** (February 5, 2020 and February 12, 2020), that the Utility receive an extension of the "**later**" of five days from the date of the Utility's original Testimony due date of February 19, 2020, **or** five days from after the Commission issues its Order on the pending discovery dispute. Accordingly, the Utility did not simply request an extension of five days from February 19, 2020, the Utility's original Testimony filing due date. Because it was obvious that the **later** of the two requested extension dates would be five days from after this Commission hears and decides the pending discovery dispute, and **not** February 19, 2020, Ganymede described the Utility's request as being for an indefinite extension and **requested the same treatment** in both of Ganymede's two correspondence to the Commission, both e-filed on February 12, 2020.

Ganymede's Request for Extension of Time to File.

Based on the paragraph above, Ganymede requested on February 12, 2020, that when the Utility was granted an extension, presumably, five days after this Commission hears and decides the pending discovery dispute, that Ganymede receive the same extension of time.

Your Directive Order Extension for the Utility.

However, your Directive Order simply grants a five-day extension for the Utility from February 19, 2020, **without deference** to the Utility's request for extension of five days from the **later** of February 19, 2020, or five days after this Commission rules on the pending discovery dispute.

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Your Directive Order Excluded Ganymede.

The effect of your Directive Order¹ is that you have granted the Utility an extension of five days from February 19, 2020, until February 24, 2020, for the Utility to file its Direct Testimony. **However**, this means **Ganymede only has “two days” to file its Rebuttal Testimony on February 26, 2020**, because you did not grant a concomitant five-day extension for Ganymede, equal to the five-day extension that you granted to the Utility.

Please provide guidance, if you are able to address these concerns. If you have any questions, please do not hesitate to contact me, and this correspondence is,

Respectfully Submitted,

/s/Richard L. Whitt
Richard L. Whitt,
As Counsel for Ganymede Solar, LLC

RLW/cas

cc: All parties of record in Docket 2019-390-E, *via electronic mail*

¹ The Commission's pre-filing letter required the Utility to file its Direct Testimony on February 19, 2020, and for Ganymede to file its Rebuttal Testimony on February 26, 2020. Your Directive Order of February 14, 2020, **reduces** Ganymede's filing time from seven days, to **two days**.